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August 29, 2005

P.M. _____
TIME A.M. _____

By Hand

Honorable Frederic Block
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Rafael Figuera, 04CR659 (FB)

Your Honor:

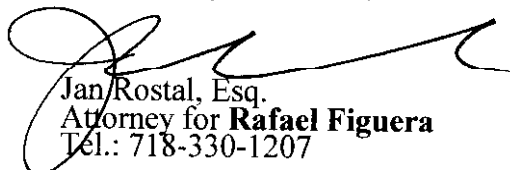
I write regarding the BOP's request to transfer my client, Mr. Figuera, to another facility for treatment of his cancer. Although I had previously consented to that transfer, I since spoke to Mr. Figuera who reiterated his wish to go forward with his sentencing scheduled for September 9, 2005. I fear that this transfer will mean he will be unavailable for his sentencing.

Accordingly, I request that the Court "So Order" this letter indicating that Mr. Figuera is to be available in this district for his previously scheduled sentencing on September 9, 2005.

The government has no objection to this request.

Thank You for Your attention to this matter.

Respectfully Submitted,


Jan Rostal, Esq.
Attorney for Rafael Figuera
Tel.: 718-330-1207

cc: Adam Abensohn, Esq.
Assistant United States Attorney
Defendant (MDC)

SO ORDERED
USDJ 8/29/05